IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO.223 OF 2006

IN

SUMMARY SUIT NO.948 OF 2006

...

Parle Sales Services (P) Ltd. ...Plaintiffs

v/s.

Mrs.Loma Walter, Proprietress of
M/s.Jackson & Co. ...Defendant

...

Mr.Shilpa Kapil for the Plaintiffs.
Mr.Baptist D'souza for the Defendant.

...

CORAM: D.K.DESHMUKH, J.

DATED: 5TH SEPTEMBER,2006

P.C.:

Though the suit of the Plaintiff is based on alleged dishonoured cheque, it is clear from the agreement between the parties that a blank cheque was given and, obviously amounts were filled in by the Plaintiff. If the amounts were filled in by the Plaintiff, it is difficult to accept that it will be a cheque issued by the Defendant.

. In my opinion, there is a substantial defence available to the Defendant. Summons for judgment is, therefore, disposed of. Defendant is granted unconditional leave to defend the suit. Written statement to be filed within eight weeks from today.

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